

DETAILED ACTION

1. This action is in response to the papers filed January 27, 2000.
2. Currently, claims 1, 4, 16-18, 20-26, 28-30 are pending.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance.

The claims are drawn to methods of genotyping individuals for SNP13, an insertion of a G at position 248 of SEQ ID NO: 5 or an insertion of a C at position 294 of SEQ ID NO: 6 and indicating the presence of SNP13 is diagnostic of or predictive of susceptibility to the clinical subtype of Crohn's disease characterized by fibrostenosing disease.

Applicants have filed a 1.131 declaration on November 25, 2009 stating that the claimed invention was conceived and reduced to practice in the United States prior to February 8, 2002. As evidence applicant cites that a manuscript, from which the Abreu journal article arose was received by the publisher on February 8, 2002. The manuscript was also accepted by the publisher on March 16, 2002. The rejections under 102(a) of Ahmad and Radlmayr have been overcome.

A declaration under 1.132 was filed on October 9, 2008 as a Katz type declaration. The publications of Abreu (Vol 123 Reference and the Vol 122 Reference) are not by another.

Art Unit: 1634

Applicant found an association between SNP13 and the clinical subtype of Crohn's disease characterized by fibrostenosing disease. The association was replicated by Radlmayr and Ahmad.

The art neither taught nor suggested the association of SNP13 and the clinical subtype of Crohn's disease characterized by fibrostenosing disease prior to the instant invention.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Jeanine Goldberg whose telephone number is (571) 272-0743. The examiner can normally be reached Monday-Friday from 7:00 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nguyen, can be reached on (571)272-0731.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The Central Fax Number for official correspondence is (571) 273-8300.

Application/Control Number: 10/526,256

Page 4

Art Unit: 1634

/Jeanine Goldberg/

Primary Examiner

April 15, 2010